

Statement of Position Regarding the Model Procurement Code and H.F. 829
Bruce K. Snethen
Department for the Blind
October 21, 2005

The Department for the Blind, according to section 8A.302 of the Code of Iowa and by rule (11-105.6(1)), has purchasing authority for goods and services of general use and by the Code (8A.322(1) and 216B.3)) for maintenance of buildings and grounds at 524 4th Street, Des Moines.

The Department maintains its own rules (111-1.12) governing purchasing and is further regulated by 34 CFR 80.36 and 34 CFR 361.52, which generally require the Department to observe the same policies and procedures it applies to procurement involving *non*-federal sources of financing. However, these rules also require the Department to comply with “informed choice” in the procurement of goods and services pertaining directly to clients of the agency, including the selection of services and service providers. We tend to apply the concept of informed choice broadly, especially because we regularly buy specialized equipment and other goods from what is often a very limited national supplier base. This also tends to simplify the maintenance of current pricing information. The Department makes very few individual purchasing decisions large enough to require formal competition by rule.

While H.F. 829 may lead to some rule-making by the Department if it passes, we are comfortable with its language. The model procurement code contains some language that raises some concerns. Sections 2-204 and 2-303 would appear to centralize all procurement, subject to some optional exemptions. The exemptions include published books and periodicals, which are in line with operating a library and is something we do. Furthermore, it is a specialized library with what we understand to be the largest Braille collection in the world with some unusual if not unique procurement issues. In addition, the Department is located off the capitol complex and also has an existing exemption in the Code to provide for the maintenance of buildings and grounds as well as vehicle operations. For these reasons the Department would prefer to continue the existing exemptions in regard to centralized procurement.